Attorney's Docket No.: 12732-038001 / US4917/4945

IN THE UNITED STATES PATENT AND TRADEMARK OFFIC

Applicant: Hideomi Suzawa et al.

: 2812 Art Unit

Serial No.: 09/852,672

Examiner: Viktor Simkovio FFICE OF PETITIONS

Filed

: May 11, 2001

Confirmation No.: 5083

Title

: SEMICONDUCTOR DEVICE AND MANUFACTURING METHOD THEREOF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## PETITION TO WITHDRAW

Applicants hereby petition under  $\S1.313(c)(2)$  for the withdrawal of this application from issue to permit consideration of an Information Disclosure Statement filed in a continuing application. The issue fee was paid on April 28, 2004.

A request for continued examination of this application under §1.114 is being filed simultaneously herewith. The request for continued examination is intended to continue this application on the grant of this petition.

Enclosed is a check for \$130 in payment of the petition fee required by 1.17(i). Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 17, 2004

John F. Hayden Reg. No. 37,640

Customer No. 26171 Fish & Richardson P.C.

1425 K Street, N.W., 11th Floor

Washington, DC 20005-3500 Telephone: (202) 783-5070

Facsimile: (202) 783-2331

40242457.doc

09/20/2004 AKELLEY 00000003 09852672

01 FC:1460

130.00 OP

CERTIFICATE OF DELIVERY BY HAND

I hereby certify that this correspondence is being delivered by hand on the date indicated below and is addressed to the U.S. Patent and Trademark Office, Office of Petitions, Crystal Plaza 4, 3rd Floor -Room C23 2011, Arlington, VA 22202.